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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/827,208	04/05/2001	Antti Latva-Aho	324-010243-US(PAR)	5366
2512	7590	02/08/2005	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			DEAN, RAYMOND S	
			ART UNIT	PAPER NUMBER

2684

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/827,208

Applicant(s)

LATVA-AHO ET AL.

Examiner

Raymond S Dean

Art Unit

2684

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 28 January 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The reply was filed after the date of filing a Notice of Appeal, but prior to the date of filing an appeal brief. The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: None.

Claim(s) objected to: None.

Claim(s) rejected: 1 - 23.

Claim(s) withdrawn from consideration: None.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

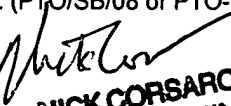
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

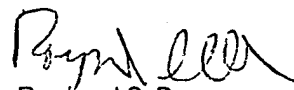
REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____

13. ☐ Other: _____.


NICK CORSARO
PRIMARY EXAMINER


Raymond S. Dean
February 4, 2005

Continuation of 11. does NOT place the application in condition for allowance because:

Examiner respectfully disagrees with Applicants' assertion on Page 2 Section 2.1 of the Remarks "Mills fails to disclose" for the reasons set forth in the Office Action dated November 18, 2004. Mills reads on Claim 1 as it is currently written because of the broadness of said claim. The SIM card, which is the IC card, is coupled to the base station, which is the access point, via the mobile phone, comprising said SIM card, through the mobile phone's connection (functional connection) with the base station.

Examiner respectfully disagrees with Applicants' assertion on Page 3 Section 2.2 of the Remarks "Mills also fails to disclose ..." for the reasons set forth in the Office Action dated November 18, 2004. Mills reads on Claim 11 as it is currently written because of the broadness of said claim. The IMSI is the data stored on the SIM (IC card). The reading of said IMSI by the base station (access point) will cause said base station to connect with the rest of the fixed network thus the IMSI will enable a functional connection with the fixed network part.

Examiner respectfully disagrees with Applicants' assertion on Pages 3 & 4 Section 2.3 of the Remarks "Mills further fails to disclose ..." for the reasons set forth in the Office Action dated November 18, 2004. When the mobile initiates a call the mobile, which comprises the SIM card (IC card), will connect with the base station. The IC card is connected to the base station via the mobile phone such that the IMSI can be transmitted to the MSC/VLR (See Mills Column 6 lines 41 - 43). The base station will read said IMSI so that said IMSI can be forwarded to the MSC/VLR.

Examiner respectfully disagrees with Applicants' assertion on Page 7 2nd Paragraph of the Remarks "However, for the reasons stated herein, Mills does not..." for the reasons set forth above and for the reasons set forth in the Office Action dated November 18, 2004.

Examiner respectfully disagrees with Applicants' assertion on Page 7 3rd Paragraph of the Remarks "Mills does not disclose the storage of any kind ..." for the reasons set forth above and for the reasons set forth in the Office Action dated November 18, 2004. Examiner respectfully disagrees with Applicants' assertion on Page 7 4th Paragraph of the Remarks "Further, Mills does not even hint toward ..." for the reasons set forth above and for the reasons set forth in the Office Action dated November 18, 2004.

Examiner respectfully disagrees with Applicants' assertion on Page 8 1st Paragraph of the Remarks "No interface between GSM base stations (BTS) ..." for the reasons set forth above and the reasons stated in the Office Action dated November 18, 2004.

Examiner respectfully disagrees with Applicants' assertion on Page 8 2nd Paragraph of the Remarks "More specifically, a connection between a mobile station ..." for the reasons stated above and the reasons stated in the Office Action dated November 18, 2004.

Examiner respectfully disagrees with Applicants' assertion on Page 8 3rd Paragraph of the Remarks "Mills does not give any indication of" for the reasons set forth above and for the reasons set forth in the Office Action dated November 18, 2004.

Examiner respectfully disagrees with Applicants' assertion on Page 9 1st Paragraph of the Remarks "Mills does not even hint towards any ..." for the reasons set forth above, the reasons set forth in the Office Action dated November 18, 2004, and for the following reasons: the functions that are performed in response to the need to connect the base station to the fixed network are the authentication and connecting the mobile phone to fixed network resources like the PSTN.

Examiner respectfully disagrees with Applicants' assertion on Page 9 2nd Paragraph of the Remarks "In fact, Mills does not provide any details on how ..." for the reasons set forth above and for the reasons set forth in the Office Action dated November 18, 2004.

Examiner agrees with Applicants' assertion that Widegren does not teach the application of IC cards. Widegren, however, does teach selecting a radio network controller for the access point, and connecting the access point to a functional connection with the radio network controller and other optionally required resources (Figure 1, Column 5 lines 50 - 55). Mills and Widegren both teach GSM based wireless telecommunication systems thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the radio network controller taught in Widegren in the wireless telecommunication system of Mills for the purpose of creating a UMTS system based on an evolved GSM platform such that narrowband radio access is achieved. Widegren also teaches an access point that is a base station in a UMTS system, and the fixed network part comprises at least a UMTS system radio network controller (Figure 1). Mills and Widegren both teach GSM based wireless telecommunication systems thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the elements of a UMTS system taught in Widegren in the wireless telecommunication system of Mills for the purpose of creating a UMTS system based on an evolved GSM platform such that narrowband radio access is achieved. Widegren further teaches wherein the access point is a UMTS system radio network controller RNC and the fixed network part comprises one or more network elements of a core network of a UMTS system (Figure 1, the RNC is the access point for the access points (base stations)). Mills and Widegren both teach GSM based wireless telecommunication systems thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the elements of a UMTS system taught in Widegren in the wireless telecommunication system of Mills for the purpose of creating a UMTS system based on an evolved GSM platform such that narrowband radio access is achieved. Widegren further teaches wherein the access point is a radio network controller controlling on or more base stations in the wireless telecommunication system (Figure 1, the radio network controller is the access point for the base stations), and the fixed network part comprises one or more wireless network elements of a core network of the telecommunication system (Figure 1). Mills and Widegren both teach GSM based wireless telecommunication systems thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the radio network controller and core network taught in Widegren in the wireless telecommunication system of Mills for the purpose of creating a UMTS system based on an evolved GSM platform such

that narrowband radio access is achieved. Widegren further teaches other data that includes the data required in UMTS system USIM application (Figure 1, the fact that this is a UMTS system there will inherently be data on the on the SIM for USIM application). Mills and Widegren both teach GSM based wireless telecommunication systems thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the USIM application taught in Widegren in the wireless telecommunication system of Mills for the purpose of creating a UMTS system based on an evolved GSM platform such that narrowband radio access is achieved.